

THE NEWS OF NORFOLK ON PAGES TWO, THREE AND FIVE.

ROYAL BAKING POWDER

ABSOLUTELY PURE
Makes the food more delicious and wholesome

COURT DECISIONS.

Notes of Cases Recently Decided,
Which are of Interest to
Our People.

DIGESTED BY W. B. MARTIN,
(Exclusively for Virginian-Pilot.)

BLACKWELL V. BLACKWELL.

Supreme Court of North Carolina.
March 23, 1899.

WHERE A CLAUSE IN A DEED
CONVEYS A FEE TO A WIFE,
AND A SUBSEQUENT CLAUSE A
LIFE ESTATE TO HER HUSBAND,
THE LATTER CLAUSE WILL BE
REJECTED FOR REPUGNANCY.

The plaintiff instituted this action against the defendant, her husband, for possession of certain tracts of land, subject to his marital right of ingress and egress, and for the exclusive control of the rents and profits of these lands. She claims to be the owner in fee, and she claims to have a life estate in them.

The court says:
The whole matter turns upon the construction of a deed from plaintiff's father and his wife to her, dated December 22, 1887. The deed, in the premises, says: "We give, grant, convey, and confirm unto said Lela E. Blackwell (plaintiff), her heirs and assigns, two tracts of land, to-wit: one tract to hold the said lands and premises, together with all the appurtenances thereto belonging. And we do warrant and will forever defend the said title to the above-described land and premises to the said Lela E. Blackwell, her heirs and assigns, against the claim of any persons whatsoever." The deed then concludes: "I give, grant and convey unto said John B. Blackwell (defendant), under any and all circumstances, the above-described lands and premises, during the term of his natural life, together with all the rents and profits arising therefrom." After the deed was put in evidence, his honor expressed the opinion that the defendant was entitled to a life estate, and that the plaintiff could not recover. Nonsuit, and appeal by plaintiff.

In earlier times, the construction was that the first conveying clause in a deed, and the last clause in a will, would control the estate. In modern times the courts, looking through a deed, will transcribe words or sentences, if thereby they can effectuate the intention of the grantor, if it can be done without defeating the intent in any other part. But if, in a deed, there be two clauses so repugnant to each other that they cannot stand together, the first shall be rejected, and the latter rejected; differing in this respect from a will. Where exceptions or reservations appear in a deed, they remain in the grantor certain interests, which do not pass. When, however, the fee is conveyed to A, in one part, and the fee, or a part thereof, is conveyed to B, in another part, these provisions are irreconcilable and repugnant, and one must yield to the other. In *Haffner v. Win*, 20 N.C. 435, the whole interest was conveyed in the premises to one person, but in the habendum it was limited to another. Held, that the latter was repugnant to the former, and void. Applying these principles to the deed before us, the concluding clause is in conflict with the first part. The intention is clear in each case. In the premises, the fee is conveyed to the plaintiff, and afterwards a life estate to the defendant in the same lands. If the first intent in the premises, expressed in apt language, and repeated in the warranty clause, is to be observed, then there is nothing left to satisfy the intent in the last clause. Putting either in force, that necessarily defeats the intent in the other, and, as above shown, the first expression is the controlling part of the deed. We hold, therefore, that the last clause of the deed is void, and that the plaintiff is entitled to judgment in her favor. Reversed.

GOULD V. UNION TRACTION CO.

Supreme Court of Pennsylvania.
February 27, 1899.

WHERE A BOY ON A BICYCLE
TURNED A STREET CORNER,
AND, IN PASSING ROUND A WAGON
THERE STANDING, WAS
RUN INTO BY A STREET CAR
AND INJURED, THE COMPANY
WAS NOT LIABLE, ALTHOUGH
THE MOTORMAN HAD HIS HEAD
TURNED FROM THE DIRECTION
OF THE BOY, AS HE COULD NOT
HAVE BEEN SEEN COMING
FROM BEHIND THE WAGON IN
TIME TO STOP THE CAR.

This was a suit for personal injuries to a boy about 12 years of age caused by being run over by an electric car. The boy was riding a bicycle on Redman street, in Philadelphia, and as he approached Tenth street, intending to turn into it, he was prevented by a

The cleverest thing imaginable is an accomplished fact. This being true, a business success might be called a clever thing, or an accomplished fact. In May, 1898, the G. O. Taylor & Sons made their appearance. The public, from the first, seemed to believe in the representation made about their purity and medicinal value, and the sales year after year have shown a healthy growth. Today a large percentage of licensed druggists carry "G. O. T." in stock, because it is a standard article, being regularly prescribed by physicians, used by invalids and kept amongst family stores for use in emergencies. We bottle today the same quality of whiskey, under the trade name "G. O. T.," that we have bottled for a quarter of a century. Reject substitutes and don't overlook this point: We never sell G. O. T. in bulk at any price, anywhere, to anyone. Look for our firm name signature on face and neck labels. Refuse to buy substitutes, and write to us your experiences.

C. H. GRAVES & SONS,
For sale at White Bros., Norfolk, Va.,
Brown's Hotel, Portsmouth, Va.

A NEW ENTERPRISE

Brick and Tile Works to Be Established Near Brambleton.

Capital Start \$25,000—The Clay Will Be Brought From Munden Point—Work to Begin at Once—Ten Acres Site Secured.

A new brick and tile manufacturing company has just been organized in the Fifth Ward. It is composed entirely of enterprising business men of Brambleton. The capital stock of the new enterprise is to be not less than \$25,000.

The company has purchased ten acres of land on what is known as the Riverside tract on the line of the Virginia Beach railroad just beyond the eastern limits of the city, and convenient to transportation, which will enable the company to ship all brick and tile manufactured by it in the most expeditious manner.

The clay from which this brick and tile is to be made is brought from Munden Point, on the Virginia Beach road extension, and is said to be of a very superior quality.

The officers of the company have not yet been chosen, but a superintendent and general manager has been secured in the person of Mr. C. B. Oldfield, who has had years experience in the manufacture of brick. He has already put in the most approved furnaces and machinery, and has already on hand a quantity of material with which to begin work. The style of brick to be turned out will be for building and paving purposes.

Relief Six Hours.

Distressing Kidney and Bladder disease relieved in six hours by "New Great South American Kidney Cure." It is a great surprise on account of its exceeding promptness in relieving pain in bladder, kidneys and back, in male or female. Relieves retention of water almost immediately. If you want quick relief and cure this is the remedy. Sold by Walke & Martin, druggists, 193 Water street, Norfolk, Va.

PROPERTY OWNERS.

PROTEST AGAINST GRANTING C. AND O. PETITION.

At a meeting of the Street Committee of Council Wednesday night several property owners on lower Boush street and that vicinity were present to protest against the Chesapeake and Ohio Railway Company being allowed to build its tracks across the foot of that street and extend them up to within 120 feet of Granby street, as the company has asked permission of Council to do. These property owners say that if the tracks are extended as proposed the value of the property in that section of the city will be greatly depreciated and the main thoroughfare connecting that portion of Norfolk west of Granby street with the C. & O. and N. Y. P. & N. depots will be blocked to such an extent as to greatly inconvenience a large percentage of the people of the city.

The plan of the C. & O. is to extend two of its tracks across the foot of Boush street and run them up along by the side of Brooke avenue, on the old Taxwell place, which belongs to the road. The reason given by the road for wishing to extend its track is that the switching of freight cars in connection with loading the barges at the wharves will be made more convenient by reason of greater truckage facilities. The road has five tracks running up to Boush street, crossing the lower end of Duke street. This latter street was sometime ago closed for the convenience of the C. & O.'s shipping, and Boush street was thus made the more important as a thoroughfare, and the citizens say if it is crossed by the tracks there will be continual switching of freight trains and consequent annoyance and delay to citizens passing that crossing. Besides this the smoke and the danger of fire from the engines is also dwelt upon by the citizens as reasons why the road should not be granted the right of way asked, for which it proposes to pay the city nothing. It is true these citizens say that the road gave part of the land for the opening of Brooke avenue and propose to give the land for the opening of the Taxwell street extension, but the road will be benefited by the opening of these thoroughfares. It was thought at the time the lower end of Duke street was given the road for a switching yard, it would not want further room, and one of the Boush street residents states that this was the understanding when the road was allowed to close Duke street.

Friday the members of the Street Committee, Messrs. J. A. Kidgwell, chairman; H. Hodges and F. Jacobs will visit the C. & O. yards and make a personal inspection of the place. The road's representatives at the meeting of the Street Committee admitted, it is stated, that the extensions of their tracks was not a necessity, but would be a convenience.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the Signature of *Charles H. Fletcher*

INSURANCE MEN.

SOUTHEASTERN TARIFF ASSOCIATION MEETS AT OLD POINT.

The Southeastern Tariff Association, composed of the leading insurance men of the Southeastern States, opened its sessions yesterday at Chamberlin Hotel, Old Point Comfort, about one hundred members being present. Many of them are accompanied by their wives or other members of their families.

The officers of the association are: Edward S. Gay, Atlanta, president; W. E. Chapin, Atlanta, vice-president; C. C. Fleming, Atlanta, secretary and treasurer; Mr. C. B. Willingham, of Marietta, Ga., is the special correspondent for the association.

Yesterday's session was devoted to the work of organizing and some routine business also was transacted. The local insurance men of Newport News, Hampton and Phoebus and a few from Norfolk were in attendance. It is not considered probable that there will be any great change in the classifications of risks or of ratings for any of the cities of Virginia.

During the sessions of the convention the members will visit Newport News, Hampton, the Soldiers' Home, the Industrial School, Norfolk, Portsmouth and the Norfolk navy yard. They will also probably enjoy an excursion on Hampton Roads.

BRAMBLETON WARD.

Mrs. Vaughan and Miss Blanche Vaughan, of Philadelphia, who have been visiting Mrs. William Ashton, of Tunstall avenue, have returned home. Mr. Robert Ruddick, of Tunstall avenue, is in Washington, D. C., attending the Peace Jubilee.

The Inasmuch Circle of the King's Daughters will meet this afternoon at 4 o'clock at Mrs. Gordon's, on Rose avenue.

Miss Edith Mae Bailey, of No. 291 Hamilton avenue, has gone to Wake Forest College to attend the graduating exercises there, where her brother, Mr. Charles N. Bailey, a popular young gentleman of this city, will graduate with full honors.

The committee have completed the program for the entertainment to be given at Trinity M. E. Church on the occasion of the Ingathering of the Gleaners.

A mass-meeting of the Democrats of the ward will be held in Kirt Hall tonight at 8 o'clock, to nominate nine citizens to be voted for by the City Council to compose the Local Board of Improvement.

HON. W. L. SCRUGGS HERE.

WAS VENEZUELA'S REPRESENTATIVE IN BOUNDARY DISPUTE.

Hon. William L. Scruggs, of Atlanta, former minister from this country to the Venezuelan Republic, is in Norfolk with his daughters. They are stopping at the Monticello.

Mr. Scruggs was minister to Venezuela when President Cleveland sent his famous Venezuelan boundary message to Congress, which sounded a war note of "to be or not to be." Mr. Scruggs with the boundary question under dispute, and so great did the government of Venezuela consider his ability, that he was retained by that government to represent her in the arbitration of the question which followed Cleveland's message.

Married Last Night.

A marriage license was issued yesterday afternoon to Mr. Edward Franklin Williams and Miss Julia Rowland, and it is supposed that their nuptials were solemnized last night. A reporter of the Virginian-Pilot waited several miles in a fruitless quest for information, but beyond the statement made by Mr. Williams to a relative that he expected to leave the city on a protracted trip North, did not succeed in learning anything.

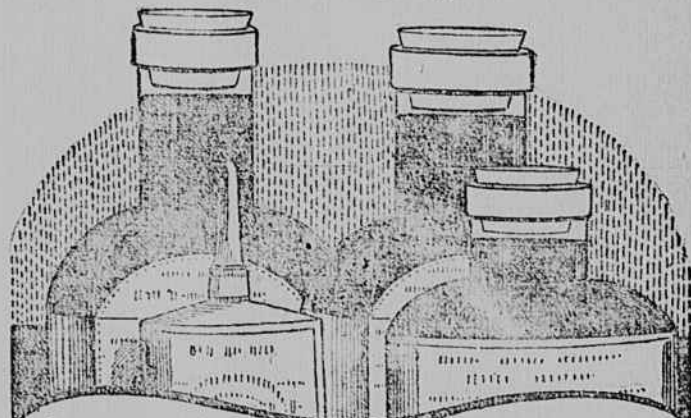
Mr. Williams was formerly a member of the police force, and lately in the service of the Board of Health. "Rat" has many friends who will wish him joy.

Mrs. Wright's Funeral.

The funeral of Mrs. Mary A. Wright, widow of the late Mr. William Wright, Jr., and mother of Lieut. Clinton L. Wright, of the City Guard, who died at the home of her son on Wood street Tuesday, was solemnized from the residence at 4:30 o'clock yesterday afternoon. The services were conducted by Rev. S. C. Hatcher, pastor of Queen Street M. E. Church, South, assisted by Rev. W. A. Broom, supply pastor of Freeman Street Baptist Church. The following gentlemen acted as pall-bearers:

HAVE YOU WEAK LUNGS?

Every Sufferer from Lung Weakness, Consumption, Asthma, Catarrh or Bronchitis Can Be Cured.



Complete FREE Course
of Treatment
Consisting of Four Preparations
— The Slocum System —

Nearly everybody you meet will regard it as a kind of insult to be asked if they have weak lungs. All seem to have a solid faith in the soundness of their own breathing machine. In cases of trouble they will admit there is a "heavy cold," a "touch of bronchitis," or even "a spell of asthma," but as to weak or unsound lungs, never, NEVER. Even the poor consumptive, who scarcely speaks without coughing, whose cheeks are wasted, hollow and bear the hectic flush of doom, will assure you with glistering eyes that his cold is on the mend and he will be all right when the weather changes.

It is simply terrible to think how far we may be guilty by our indifference to the lung troubles of those near and dear to us. It is also a sad thought that we may hug a delusion as to our own health that we only get rid of when life itself must pay the forfeit.

Nobody can afford to think lightly of lung troubles. Nobody can afford to be mistaken about their possible dangers. Nobody can afford to neglect them, or "let them wear out," or "get better in the spring," or any other tomfoolery that leads only to wreck and ruin. Lung troubles don't move backward. Weak lungs don't grow strong by themselves—you must heal them and strengthen them, and rid them of the very earliest germs of disease, or you are simply committing a form of suicide. Either you must cure your lung troubles or THEY WILL KILL YOU. That's the whole situation in a nutshell.

Never was there a cure for lung troubles equal to the newly-discovered Dr. Slocum treatment. This forms a system of Four Remedies that are used simultaneously and supplement each other's curative action. It cures weak lungs, bronchitis, asthma, coughs, consumption and every other ailment of the pulmonary region. It destroys every germ that can affect the respiratory system, and even in advanced stages of lung trouble positively arrests the tubercular growth, while it also builds up the patient so that his system is enabled to throw off scrofula, rheumatism, catarrh, and other wasting diseases.

Thousands of cured cases already prove these claims. Thousands of grateful people bless the discovery.

The Doctor wants everybody to know the surprising merits of his system. He has arranged to give a free treatment (Four Preparations) to all sufferers. Full instructions for use accompany each treatment.

WRITE TO THE DOCTOR.

Write at once to Dr. T. A. Slocum Laboratories, 65 and 68 Pine street, New York City, giving full express and postoffice address, and mention this paper. Delay only makes your trouble worse.

OUR
Ice Cream Parlor
IS NOW OPEN.
The Mettowiee.

READ THIS LIST OF EXTRAORDINARY PRICES FOR OUR SPECIAL TWO DAYS' SALE OF BOYS' CLOTHING:

NO OTHER NORFOLK CLOTHING HOUSE PRESENTS A PARALLEL IN LOW PRICE MAKING. You can provide for your boys' entire wants at this sale at a wonderful saving.

Boys' Double-breasted Cheviot Suits,

Fields and mixtures, neatly finished, sizes 7 to 15 years, serviceable. Hatings. Sell regularly at \$2.00. Our special sale price on 200 of these,

\$1.25

Boys' Fancy Vestee Suits,

Attractive patterns in Cheviots and Cassimeres. The choice of colors and styles very complete. All finished with bright, trimmed shirt and collar; \$3.50 values; sizes 7 to 15. Sale price,

\$2.25

Boys' All-Wool Cheviot Suits, 7 to 16,

Double breasted styles. New Cheviots in plaids, checks, stripes and plain colors. These are extremely serviceable in make and material, and are well worth \$3.00. Sale price,

\$1.98

Boys' Fine Dress, Vestee and Blouse Suits.

These are taken right from the cream of the \$5.00 and \$6.00 stock; every suit the height of elegant fashion, showing all the late effects of pattern and trimmings. Materials include fine Cheviots, Cassimeres, Worsters, Clays and Serges. Sale price,

\$3.98



Young Men's Cheviot Suit Special, 14 to 19 Years.

Substantial Suits, well trimmed, and made in up-to-date fashion. No end of color, choice in plaids and mixtures. Other stores match these at \$7.50. Our special sale price...

\$4.75

More of those fine Blue Serge Suits for Young Men, at...

\$7.50

made with French facing. The dressiest we have ever had at anything near the price. A real \$10.00 value as shown elsewhere.

New Knee Pants Specials.

Boys' 25c Knee Pants, serviceably made cheviot mixture, all sizes, and colors. Sale price to-day...

9c

Boys' Cheviot Knee Pants, all sizes and colors, Cheviot medium and light; regular \$5.00 and \$5.50 values for...

39c

All-Wool Cheviot Knee Pants, the best we ever had! Strongly sewed, made from first color cloths; 75c and \$1.00 values for...

80c

Extra large showing of the new effects in Boys' Wash Suits...

49c to \$3.50

THE HUB

374 MAIN STREET.